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HOUSE BILL 920

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO SEXUAL OFFENSES; CREATING A NEW CRIMINAL OFFENSE  
KNOWN AS CRIMINAL SEXUAL COMMUNICATION WITH A CHILD; PROVIDING  
PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Criminal Code is enacted  
to read:

"[NEW MATERIAL] CRIMINAL SEXUAL COMMUNICATION WITH A  
CHILD--PENALTY.--

A. Criminal sexual communication with a child  
consists of a person knowingly and intentionally communicating  
directly with a specific child under sixteen years of age by  
sending the child obscene images of the person's intimate parts  
by means of an electronic communication device when the  
perpetrator is at least three years older than the child.

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B. Whoever commits sexual communication with a child is guilty of a fourth degree felony.

C. As used in this section:

(1) "electronic communication device" means a computer, video recorder, digital camera, fax machine, telephone, pager or any other device that can produce an electronically generated image; and

(2) "intimate parts" means the primary genital area, groin, buttocks, anus or breast."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007.